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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.568 OF 2006

Riyaz Abdul Gafoor Sutar @ Riyaz Patel ... Petitioner

Vs.

Shri Surindra Bapu Patil & Ors. ... Respondents

Mr. P.M. Chakurkar for the petitioner.

Mr. D.S. Mhaispurkar, A.P.P. for the State.

CORAM : SMT. RANJANA DESAI & ANOOP V. MOHTA, JJ.

DATED : 8TH JANUARY, 2007.

P.C.:-

1. On 27/11/2006, the Bench headed by Justice S.B. Mhase passed the following order :

> *"This is a Petition by absconding accused against whom a special case is pending before the Special Court at Pune under the MCOC Act. Learned Counsel for the accused undertakes that the accused will appear before the Special Court on 4/12/2006. Matter to be listed on 5/12/2006".*

2. Mr. Mhaispurkar, the learned A.P.P. states that the accused has not

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appeared before the Special Court pursuant to the above order. Our attention is drawn to order dated 10/10/2003 passed by this Court in the earlier writ petition filed by the petitioner where this court has made a reference to the affidavit filed by the police that the petitioner was absconding. In view of the fact that the petitioner has not abided by the order of this court, the present petition cannot be entertained and is dismissed.

[SMT. RANJANA DESAI, J.]

[ANOOP V. MOHTA, J.]